

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY (TRENTON VICINAGE)**

WILFREDO CLETO-SORIANO,	:	
	:	
Plaintiff,	:	CIVIL ACTION NO.
	:	
v.	:	JURY TRIAL DEMANDED
	:	
	:	
CARGO TRANSPORTERS, INC., NICK	:	
RODRIGUEZ, JOHN DOE(S) 1-10 (fictitious	:	
names, true names unknown), JANE DOE(S) 1-10	:	
(fictitious names, true names unknown), ABC	:	
CORPORATION(S) 1-10 (fictitious names, true	:	
names unknown),	:	
Defendants.	:	

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that Defendants Cargo Transporters, Inc. (“CTI”), and Nick Rodriguez, by and through their attorneys, Salmon, Ricchezza, Singer & Turchi, LLP, hereby remove this matter from the Superior Court of New Jersey, Law Division, Middlesex County, to the United States District Court of the District of New Jersey pursuant to 28 U.S.C. Section 1441 et seq. and in support thereof aver as follows:

1. On or about February 27, 2020, Plaintiff Wilfredo Cleto-Soriano filed a Complaint in the Superior Court of New Jersey, Law Division, Middlesex County. (A copy of the Complaint is attached hereto as ***Exhibit “A.”***)

2. Summons was issued by Plaintiff to CTI and Mr. Rodriguez. The summons was undated. (A copy of the summons is attached hereto as ***Exhibit “B.”***)

3. While the summons is undated and Plaintiff has not yet filed proof of service with the Court, CTI and/or Mr. Rodriguez were not served prior to February 27, 2020 (the date the Complaint was filed with the State Court).

4. At all times relevant hereto, Plaintiff is and was a citizen of the State of New Jersey residing at 251 Baldwin Street, 1st Floor, New Brunswick, NJ.

5. At all times relevant hereto, CTI is and was a North Carolina corporation with its principal place of business located at 3390 N. Oxford Street, Claremont, NC 28610.

6. At all times relevant hereto, Mr. Rodriguez is and was a resident of Virginia with a residence of 1112 Oakgrove Avenue, Martinsville, VA 24112.

7. The Complaint alleges that Plaintiff sustained injuries as a result of an accident on April 16, 2018, while he was a passenger in a motor vehicle traveling northbound on Tower Road in South Brunswick, NJ.

8. The Complaint alleges that, as a result of the alleged incident in question, he suffered the following:

severe and permanent bodily injuries for which he has obtained medical treatment and which have caused him great pain and suffering, incapacitated him from pursuing usual activities and left him with permanent disabilities that will in the future similarly incapacitate him, cause him pain and suffering, and require medical attention.

The Complaint further makes a demand for punitive damages.

9. Based on the aforementioned injuries, it appears that this case has an amount in controversy in excess of \$75,000.00 exclusive of interest and costs.

10. This Court has original jurisdiction of this matter pursuant to 28 U.S.C. §1332 in that there is complete diversity of citizenship.

11. The documents attached hereto constitute all of the pleadings, process and orders served upon the petitioner in this action in Superior Court.

12. This case is removable from Superior Court pursuant to 28 U.S.C. §1446 *et seq.*

13. This notice is being filed within thirty (30) days of service of Plaintiff's summons and Complaint on the first Defendant to receive service in this matter.

14. Diversity of citizenship existed at the time the action sought to be removed was commenced and continues through the time of filing of this Notice such that Defendant is entitled to remove this matter pursuant to 28 U.S.C. §§1332, 1441 and 1446.

15. Based on the matter set forth here and above, this case is removable and said removal has commenced within the time provided by 28 U.S.C. §1446(b).

16. All named Defendants consent to removal of this matter.

WHEREFORE, Defendants Cargo Transporters, Inc., and Nick Rodney Rodriguez pray that the above-captioned action, now pending against it in the Superior Court of New Jersey, be removed therefrom to this Court.

SALMON, RICCHEZZA, SINGER & TURCHI LLP

/s/ Justin P. Callaway
Zachary Ballard, Esq. (NJ ID #1447-2007)
Justin P. Callaway, Esq. (NJ ID #03201-2007)
123 Egg Harbor Road, Suite 406
Sewell, NJ 08080
Phone: (856) 354-8074
Fax: (856) 354-8075
*Attorney for Defendants Cargo Transporters, Inc.
and Nick Rodney Rodriguez*